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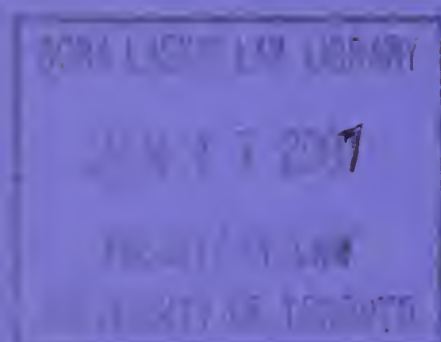
**THE LAW AND PRAXIS OF  
INTERNATIONAL HUMAN RIGHTS**

**Volume III**

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**FOR THE CLASSROOM USE OF  
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**Weeks 6 and 8 (February 13, February 15; February 27, March 1)**

- **The International Covenant on Economic, Social and Cultural Rights (ICESCR)**
- **Week 6**
  - a. What is a social right?
    - i. Hannah Arendt, *On Revolution*, pp. 59-63, pp.108-9 (re-read)
    - ii. Karl Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time* (Beacon Press: Boston, 1941), pp.171-186, 257-268
    - iii. Stephen Holmes and Cass Sunstein, *The Cost of Rights* (Norton: New York, 1999) pp. 35-48, 204-232.
  - b. Human Rights and Economic and Social Rights
    - i. Universal Declaration of Human Rights, arts. 22-27 (see Week 2)
    - ii. Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent*, pp.157-158, 181-190, 192-199, 210-222.
    - iii. Matthew Craven, *The International Covenant on Economic, Social and Cultural Rights: A Perspective on its Development* (Clarendon: Oxford, 1995) pp. 16-29
    - iv. *International Covenant on Economic, Social and Cultural Rights (ICESCR)*
  - c. Nature of Obligations and the Committee
    - i. ICESCR, Art. 2, Art 16-17.
    - ii. Craven, pp. 37-50 (creation of the committee), 87-92.
    - iii. Craven, pp. 109-116 (obligation to respect, protect and fulfill).
    - iv. Committee on Economic, Social and Cultural Rights, *General Comment No. 3* (1990), Nature of States' Parties Obligations.
    - v. Audrey Chapman and Sage Russell, eds, *Core Obligations: Building a Framework for Economic, Social and Cultural Rights* (Intersentia: Antwerp, 2002) pp.1-18
    - vi. ICJ, *Legal Consequences of the Construction of a Wall*, paras. 112-114 (see Week 4)
- **Week 8 – ESC Rights in Context**
  - a. The Right to Health
    - i. ICESCR, Art. 12
    - ii. General Comment 14.
    - iii. "Health" in Susan Marks and Andrew Clapham, *International Human Rights Lexicon* (Oxford University Press: Oxford, 2006) pp. 197-208..
    - iv. Varun Gauri, "Social Rights and Economics: Claims to Health Care and Education in Developing Countries" in Alston and Robinson, eds, *Human Rights and Development: Towards Mutual Reinforcement* (Oxford University Press: Oxford 2005) pp.65-86.
    - v. *Soobramoney v Minister of Health, Kwa-Zulu Natal*, Constitutional Court of South Africa, CCT 32/97 (27 November 1997)
    - vi. *Minister of Health v Treatment Action Campaign*, Constitutional Court of South Africa, CCT 8/02 (5 July 2002).

- vii. Sandra Liebenberg, "Needs, Rights and Transformations: Adjudicating Social Rights", CHRGJ Working Paper 8/2005, pp.18-33.

b. The Right to Food

- i. ICESCR, Art. 11.
- ii. General Comment No. 12
- iii. "Food" in Marks and Clapham, pp. 163-178
- iv. Jean Drèze, "Democracy and the Right to Food" in Alston and Robinson, eds, pp. 45-64
- v. *Kishen Pattnayak v Orissa* (1989) AIR 677 (Supreme Court of India)
- vi. Writ, People's Union for Civil Liberties v. Union of India (2001)
- vii. Interim Order, Supreme Court of India, *PUCL v Union of India* (May 2003).
- viii. Pooja Ahluwalia, *The Implementation of the Right to Food at the National Level: A Critical Examination of the Indian Campaign on the Right to Food*, Center for Human Rights and Global Justice Working Paper No.8/2004, pp.43-47.
- ix. Smita Narula, "The Right to Food: Holding Global Actors Accountable Under International Law," CHRGJ Working Paper 07/2006, pp.9-27.